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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

JOHN D. HALTIGAN,

Plaintiff,

v.

MICHAEL V. DRAKE, in his official  
capacity as President of the University of  
California; CYNTHIA K. LARIVE, in her  
official capacity as Chancellor of UC Santa  
Cruz; BENJAMIN C. STORM, in his official  
capacity as Chair of the UC Santa Cruz  
Psychology Department; and KATHARYNE  
MITCHELL, in her official capacity as Dean  
of the UC Santa Cruz Division of Social  
Sciences,

Defendants.

No. 5:23-cv-02437-EJD

**STIPULATION TO EXTEND TIME  
TO RESPOND TO DEFENDANTS'  
MOTION TO DISMISS FIRST  
AMENDED COMPLAINT; AND  
ORDER THEREON**

Judge: Hon. Edward J. Davila

Date: October 12, 2023  
Time: 9:00 a.m.  
Courtroom: 4

1 Plaintiff and Defendants, by and through counsel, stipulate as follows:

2 WHEREAS, Plaintiff filed his First Amended Complaint ("FAC") on June 19,  
3 2023;

4 WHEREAS, Plaintiff and Defendants stipulated pursuant to Local Rule 6-1 to  
5 extend Defendants' deadline to answer or otherwise respond to the FAC until August  
6 7, 2023;

7 WHEREAS, Defendants filed a Motion to Dismiss on August 7, 2023 and that  
8 motion is currently scheduled for a hearing on October 12, 2023;

9 WHEREAS, Plaintiff's current deadline to respond to the Motion to Dismiss is  
10 August 21, 2023;

11 WHEREAS, Defendants have agreed to extend Plaintiff's time to respond to the  
12 Motion to Dismiss to September 5, 2023;

13 WHEREAS, absent an extension, Defendants' deadline to file a reply in support  
14 of their Motion to Dismiss would be September 12, 2023;

15 WHEREAS, Plaintiff has agreed to extend Defendants' time to file their reply  
16 in support of the Motion to Dismiss to September 26, 2023;

17 WHEREAS, this stipulation will not alter the date of any event or deadline  
18 already fixed by Court order;

19 NOW, THEREFORE, Plaintiff and Defendants, through their counsel,  
20 stipulate as follows:

21 IT IS HEREBY STIPULATED that Plaintiff's deadline to respond to  
22 Defendants' Motion to Dismiss Plaintiff's First Amended Complaint is extended to  
23 and includes September 5, 2023. It is further stipulated that Defendants' deadline to  
24 file their reply in support of Defendants' Motion to Dismiss Plaintiff's First Amended  
25 Complaint is extended to and includes September 26, 2023.

1 DATED: August 11, 2023.

2  
3 **PACIFIC LEGAL FOUNDATION**

4 /s/ Wilson C. Freeman  
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3 **MUNGER, TOLLES & OLSON LLP**

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7 *Attorney for Defendants*

**FILERS ATTESTATION**

I, Wilson C. Freeman, am the ECF user whose identification and password is being used to file this Stipulation and Proposed Order to Extend Time and Expedite Hearing. Pursuant to Civil Local Rule 5-1(h), I hereby attest that the above-named signatories concur in and authorize this filing.

By /s/ Wilson C. Freeman  
WILSON C. FREEMAN\*

*Attorney for Plaintiff*  
*\*pro hac vice*

**CERTIFICATE OF SERVICE**

I hereby certify that on August 11, 2023, Opposing Counsel received the foregoing STIPULATION TO EXTEND TIME TO RESPOND TO DEFENDANTS' MOTION TO DISMISS FIRST AMENDED COMPLAINT via CM/ECF service.

By /s/ Wilson C. Freeman  
WILSON C. FREEMAN\*

*Attorney for Plaintiff*  
*\*pro hac vice*

~~PROPOSED ORDER~~


PURSUANT TO STIPULATION, IT IS ORDERED THAT:

a. Plaintiff may have until and including September 5, 2023, to respond to Defendants' Motion to Dismiss Plaintiff's First Amended Complaint.

b. Defendants may have until and including September 26, 2023, to file their reply in support of Defendants' Motion to Dismiss Plaintiff's First Amended Complaint.

c. The motion will be heard as currently scheduled, on October 12, 2023, at 9:00 a.m.

Dated August 14, 2023

  
\_\_\_\_\_  
THE HON. EDWARD J. DAVILA  
United States District Judge